

By

McKnight

S.J.R. No. 48

A JOINT RESOLUTION

1 proposing a constitutional amendment repealing Article III, Section
2 51-b, of the Texas Constitution, relating to the State Building
3 Commission and the State Building Fund.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 Section 1. That Article III, Section 51-b, of the Texas
6 Constitution be repealed.

7 Sec. 2. The foregoing constitutional amendment shall be
8 submitted to a vote of the qualified electors of this State at an
9 election to be held on the first Tuesday after the first Monday in
10 November, 1978, at which election the ballots shall be printed to
11 provide for voting for or against the proposition: "The
12 constitutional amendment to eliminate constitutional authority for
13 the State Building Commission and the State Building Fund."

1 By: McKnight S.J.R. No. 48
2 (In the Senate - Filed March 1, 1977; March 2, 1977, read
3 first time and referred to Committee on State Affairs; March 24,
4 1977, reported adversely, with favorable Committee Substitute;
5 March 24, 1977, sent to printer.)

6 COMMITTEE SUBSTITUTE FOR S.J.R. NO. 48 By: McKnight

7 SENATE JOINT RESOLUTION

8 proposing a constitutional amendment repealing Article III, Section
9 51-b of the Texas Constitution, relating to the State Building
10 Commission and the State Building Fund; and providing for
11 disposition of that Fund.

12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

13 Section 1. That Article III, Section 51-b of the Texas
14 Constitution be repealed, and that any nonappropriated funds in the
15 State Building Fund on the effective date of this amendment be
16 preserved for the purpose of acquiring real property, constructing
17 buildings, purchasing needed personalty for use in such buildings,
18 and payment of all necessary architectural and planning fees in
19 connection therewith, for the use of the state in the Capitol
20 Complex, by being deposited in a special account in the State
21 Treasury to be expended for such purpose as the legislature may
22 direct.

23 Sec. 2. The foregoing constitutional amendment shall be
24 submitted to a vote of the qualified electors of this state at an
25 election to be held on the first Tuesday after the first Monday in
26 November, 1978, at which election the ballots shall be printed to
27 provide for voting for or against the proposition: "The
28 constitutional amendment repealing constitutional authority for the
29 State Building Commission and the State Building Fund, and
30 providing for disposition of the State Building Fund."

31 * * * * *

32 Austin, Texas
33 March 24, 1977

34 Hon. William P. Hobby
35 President of the Senate

36 Sir:

37 We, your Committee on State Affairs, to which was referred S.J.R.
38 No. 48, have had the same under consideration, and I am instructed
39 to report it back to the Senate with the recommendation that it do
40 not pass, but that the Committee Substitute adopted in lieu thereof
41 do pass and be printed.

42 Moore, Chairman

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 4, 1977

Honorable William T. "Bill" Moore, Chairman
Senate State Affairs Committee
Senate Chamber
Austin, Texas

In Re: Senate Joint Resolution No. 48
By: McKnight

Sir:

In response to your request pursuant to Senate Rule 94, Subsection (g), this office finds the fiscal implications of Senate Joint Resolution No. 48 (proposing a constitutional amendment relating to the State Building Commission and the State Building Fund) to be as follows:

No additional cost to the state or local government attributable to the bill, should it be enacted, is anticipated except for the costs of publication estimated at \$20,000 in fiscal 1979.



Thomas M. Keel
Director

LEGISLATIVE BUDGET BOARD

Austin, Texas

1977

FISCAL NOTE

March 14, 1977

REVISED


Honorable William T. "Bill" Moore, Chairman
Senate State Affairs Committee
Senate Chamber
Austin, Texas

In Re: Senate Joint Resolution No. 48
By: McKnight

Sir:

In response to your request pursuant to Senate Rule 94, Subsection (g), this office finds the fiscal implications of Senate Joint Resolution No. 48 (proposing a constitutional amendment relating to the State Building Commission and the State Building Fund) to be as follows:

The fiscal note for Senate Bill No. 759, which would implement the resolution, reports that savings of \$110,884 are anticipated annually should the State Building Commission be abolished and its duties transferred to the State Board of Control. The cost of publication of this resolution prior to election is estimated at \$20,000 in fiscal 1979.


Thomas M. Keel
Director

LEGISLATIVE TRIMMINGS BOARD

Austin, Texas

FISCAL NOTE

March 4, 1977

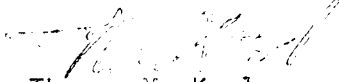
Honorable William T. "Bill" Moore, Chairman
Senate State Affairs Committee
Senate Chamber
Austin, Texas

In Re: Senate Joint Resolution No. 48
By: McKnight

Sir:

In response to your request pursuant to Senate Rule 94, Subsection (g), this office finds the fiscal implications of Senate Joint Resolution No. 48 (proposing a constitutional amendment relating to the State Building Commission and the State Building Fund) to be as follows:

No additional cost to the state or local government attributable to the bill, should it be enacted, is anticipated except for the costs of publication estimated at \$20,000 in fiscal 1979.


Thomas M. Keel
Director

Source: State Building Commission; Secretary of State; and LBB Staff

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 14, 1977

REVISED

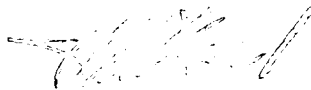
Honorable William T. "Bill" Moore, Chairman
Senate State Affairs Committee
Senate Chamber
Austin, Texas

In Re: Senate Joint Resolution No. 48
By: McKnight

Sir:

In response to your request pursuant to Senate Rule 94, Subsection (g), this office finds the fiscal implications of Senate Joint Resolution No. 48 (proposing a constitutional amendment relating to the State Building Commission and the State Building Fund) to be as follows:

The fiscal note for Senate Bill No. 759, which would implement the resolution, reports that savings of \$110,884 are anticipated annually should the State Building Commission be abolished and its duties transferred to the State Board of Control. The cost of publication of this resolution prior to election is estimated at \$20,000 in fiscal 1979.


Thomas M. Keel
Director

April 5 1977 Engrossed
Patsy Agaw
Engrossing Clerk

By: McKnight

S.J.R. No. 48

SENATE JOINT RESOLUTION

proposing a constitutional amendment repealing Article III, Section 51-b of the Texas Constitution, relating to the State Building Commission and the State Building Fund; and providing for disposition of that Fund.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article III, Section 51-b of the Texas Constitution be repealed, and that any nonappropriated funds in the State Building Fund on the effective date of this amendment be preserved for the purpose of acquiring real property, constructing buildings, purchasing needed personalty for use in such buildings, and payment of all necessary architectural and planning fees in connection therewith, for the use of the state in the Capitol Complex, by being deposited in a special account in the State Treasury to be expended for such purpose as the legislature may direct.

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1978, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment repealing constitutional authority for the State Building Commission and the State Building Fund, and providing for disposition of the State Building Fund."

COMMITTEE REPORT

The Honorable Bill Clayton
Speaker of the House of Representatives

4/20/77
(date)

Sir:

We, your COMMITTEE ON CONSTITUTIONAL AMENDMENTS , to whom was referred S.J.R. 48
have had the same under consideration and beg to report back with the recommendation that it (measure)

- (X) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested on 4/13/77 and is attached as part of this report.
(date)

~~Author's fiscal statement attached.~~

~~The Committee recommends that this measure be placed on the (Local / Consent) Calendar.~~

This measure (X) proposes new law.
() amends existing law.

House Sponsor of Senate Measure WYATT

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Von Dohlen	X			
Jones	X			
Bryant				X
Clark, B.				X
Close				X
Hendricks	X			
Johnson	X			
Robbins	X			
Schieffer				X

Total:
5 aye
0 nay
0 present, not voting
4 absent

Tim Von Dohlen
CHAIRMAN
Reynolds
COMMITTEE COORDINATOR

BILL ANALYSIS

Background Information

Article III, Section 51 (b) of the Texas Constitution currently provides for the State Building Commission and the State Building Fund. The State Building Commission's membership consists of the Governor, the Attorney General, and the Chairman of the Board of Control and other state officials that may be designated to serve instead of the Chairman of the Board of Control.

The State Building Fund is created in Article III, Section 51 (b) and the state ad valorem tax on property of 2¢ on the \$100 valuation which is levied under Section 51 of Article III, as amended by Section 17 of Article VII, is specifically levied for the purposes of continuing the payment of the Confederate pensions provided under Article III, Section 51, and for the establishment and continued maintenance of the State Building Fund. Section 51 (b) provides that the State Building Commission may acquire necessary real and personal property, salvage and dispose of property unsuitable for state purposes, modernize, remodel, build, and equip buildings for state purposes. It also provides for the Building Commission to build and designate a memorial to Texans who served in the armed forces of the Confederate States of America and a memorial to Texans who served in the armed forces of the Republic in the Texas war of independence; the authorization for expenditures to create those memorials ceased as of December 31, 1965.

Recommendation 8 of the Administration and Fiscal Management section of the Joint Advisory Committee on Government Operations called for abolishing the State Building Commission and transferring its duties to the State Board of Control.

House Bill 1370 by Wyatt and Senate Bill 759 by McKnight would implement this resolution and would provide that the duties of the State Building Commission be transferred to the State Board of Control. The fiscal notes for H.B. 1370 and S.B. 759 estimate that savings of \$110,884 are anticipated if this legislation becomes law.

Purpose of the Resolution

To propose an amendment to the Texas Constitution relating to the State Building Commission and the State Building Fund.

Section-by-section Analysis

Section 1. Provides the following:

- 1) Repeal of Section 51 (b) of Article III;
- 2) Preserves nonappropriated funds in the State Building Fund on the effective date of the amendment for use of the state in the Capitol Complex.

Section 2. Provides that the proposed amendment be submitted to the voters at the general election on the first Tuesday after the first Monday in November, 1978.

Summary of Committee Action

Public notice having been posted in compliance with Rule V, Section 14, the committee considered S.J.R. 48 in public hearing on April 20, 1977. After receiving public testimony, the committee voted to report S.J.R. 48 favorably to the House by a vote of five ayes and no nays.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 13, 1977

Honorable Tim Von Dohlen, Chairman
Committee on Constitutional Amendments
House of Representatives
Austin, Texas

In Re: Senate Joint Resolution No. 48,
as Amended and Engrossed
By: McKnight


Sir:

In response to your request pursuant to House Rule V, Section 28, this office finds the fiscal implications of Senate Joint Resolution No. 48, as amended and engrossed (proposing a constitutional amendment relating to the State Building Commission and the State Building Fund) to be as follows:

The fiscal note for Senate Bill No. 759, which would implement the Resolution, reports that savings of \$110,884 are anticipated annually should the State Building Commission be abolished and its duties transferred to the State Board of Control.

The Biennial Revenue Estimate of the State Comptroller (November 1976) shows an estimated cash balance in the State Building Fund as of August 31, 1977, of \$9,530,616. The Committee Substitute for House Bill No. 510, the General Appropriations bill, contains appropriations from the State Building Fund of \$3,795,000 for fiscal 1978 and \$491,000 for fiscal 1979. Subtracting these proposed appropriations from the estimated cash balance produces an estimated unappropriated balance of \$5,244,616. The Resolution would preserve this balance for the purpose of acquiring real property, constructing buildings, equipping the buildings and paying architectural and planning fees in connection therewith in the Capitol Complex.

The cost of publication of this Resolution prior to election is estimated at \$20,000 in fiscal 1979.


Thomas M. Keel
Director

Source: State Building Commission; Secretary of State;
LBB staff

AMENDMENT NO. ①

BY Wyatt

1 Amend S.J.R. No. 48, First Printing, by striking all below
2 the resolving clause and substituting the following:

3 Section 1. That Article III, Section 51-b, of the Texas
4 Constitution, be repealed.

5 Sec. 2. The foregoing constitutional amendment shall be
6 submitted to a vote of the qualified electors of this state at an
7 election to be held on the first Tuesday after the first Monday in
8 November, 1978, at which election the ballots shall be printed to
9 provide for voting for or against the proposition: "The
10 constitutional amendment to repeal the constitutional authority for
11 the State Building Commission and the State Building Fund."

FILED MAY 20 1972
Read and Adopted

Betty Messinger

Chief Clerk
House of Representatives

AMENDMENT NO.

(2)

BY

Wyatt

1 Amend S.J.R. No. 48, First Printing, by striking all above
2 the resolving clause and substituting the following:

3 SENATE & JOINT RESOLUTION

4 proposing a constitutional amendment repealing Article III, Section
5 51-b of the Texas Constitution, to repeal the constitutional
6 authority for the State Building Commission and the State Building
7 Fund.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
TEXAS,

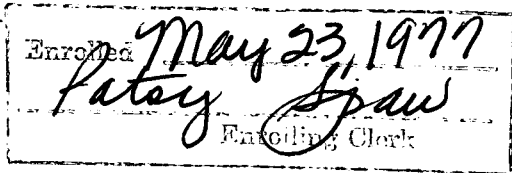
MAY 20 1977
Date
Read and Adopted

Betty Murray

Chief Clerk
House of Representatives

Type & proof this

S-23-77



S.J.R. No. 48

SENATE JOINT RESOLUTION

proposing a constitutional amendment repealing Article III, Section 51-b of the Texas Constitution, to repeal the constitutional authority for the State Building Commission and the State Building Fund.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article III, Section 51-b of the Texas Constitution be repealed.

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1978, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to repeal the constitutional authority for the State Building Commission and the State Building Fund."

S.J.R. No. 48

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 48 was adopted by the senate on April 5, 1977, by the following vote: Yeas 25, Nays 5; May 23, 1977, senate concurred in house amendments by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.J.R. No. 48 was adopted by the house, with amendments, on May 20, 1977, by the following vote: Yeas 125, Nays 8, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor

SENATE JOINT RESOLUTION

proposing a constitutional amendment repealing Article III, Section 51-b, of the Texas Constitution, relating to the State Building Commission and the State Building Fund.

3-1-77

Filed with the Secretary of the Senate

MAR 2 - 1977Read, referred to Committee on STATE AFFAIRS

Reported favorably.

MAR 24 1977

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

APR 5 1977

Senate and Constitutional Rules to permit consideration suspended by

{ unanimous consent

23 yeas, 6 nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

APR 5 1977Read second time and { ordered engrossed 24-5
passed to third reading.

Caption ordered amended to conform to body of bill.

APR 5 1977

Senate and Constitutional 3-Day Rules suspended by vote of

25 yeas, 5 nays to place bill on third reading and final passage.APR 5 1977Read third time and passed by { ~~unanimous consent~~
25 yeas, 5 nays.

OTHER ACTION

Betty King

Secretary of the Senate

April 5, 1977

Engrossed

Sent to HOUSE

Patsy Graw

ENGROSSING CLERK

APR 5 1977Received from
the SenateBetty Murray

Chief Clerk, House of Representatives

READ 1st TIME
AND REFERRED TO COMMITTEE ONConstitutional AmendmentsAPR 6 1977APR 20 1977

Favorably

Reported ~~unanimously~~, Sent to Printer 5:10 pmAPR 22 1977APR 22 1977Printed And Distributed 6:51 pmAPR 25 1977Sent To Committee On Calendars 9:06 pmDATE MAY 20 1977

READ AND ADOPTED

Betty MurrayCHIEF CLERK
HOUSE OF REPRESENTATIVESby record vote 125 yeas 8 nays 1 pmMAY 20 1977 RETURNED TO SENATERETURNED with amendments
FROM HOUSE

MAY 23 1977

Senate concurred in House amend-
ments by the following vote: 29
yeas, 2 nays.

1977 APR 22 PM 6 51

HOUSE OF REPRESENTATIVES